

**REMARKS**

Reconsideration and allowance of the claims pending in the application are requested.

Claims 1- 47 are pending in the application.

Claims 1-4, 6, 8-11, 13, 15, 16, 18-22, 24-27 and 29-30 have been rejected under 35 USC 103 (a) based upon USPA 20020188657 to B. Traversat et al, published December 12, 2002, filed January 22, 2002 (Traversat) in view of USPA 20030061364 to D. Bannerjee et al, published March 27, 2003, filed September 26, 2001 (Bannerjee).

Claims 5, 12, 17, 23, 28, and 31 have been rejected under 35 USC 103 (a) based upon Traversat of record in view of Baneerjee of record and USP 6,757,713 to J. W. Ogilvie et al issued June 29, 2004, filed July 18, 200 (Ogilvie).

Claims 1-4, 6, 8-11, 13, 14, 15, 16, 18-22, 24-27, and 29 – 30 have been rejected under 35 USC 103 (a) based upon Traversat, of record; Bannerjee of record and in further view of USPA 20020129170 to V. Moore et al published September 12, 2002, filed March 9, 2001.

Claims 1, 5, 6, 7, 8, 12, 13, 14, 15, 17, 19, 22, 23, 24, 28, 29, 31, 32, 38, 39, 46, and 47 have been amended to further distinguish the subject matter of the application from the cited art.

Claim 48 – 62 have been added to further protect the subject matter of the application.

Before responding to the rejections, applicants would like to distinguish cited art from the present application (Ekberg), as follows:

1. Traversat fails to disclose the subject matter of Ekberg, as follows:

A. Traversat at Paragraph 0027 discloses identifying peers in a P2P network using a UUID identifier for resources and entities, where the identifier is configured for use in distinguishing the resources and entities from others in the P2P network. In contrast, Ekberg at Paragraph 0002 discloses a system and method for controlling access to an application program in a wireless device by other wireless devices connected in a spontaneous and instant (ad-hoc) communications network.

B. Traversat at Paragraph 85 discloses a peer-to-peer services layer 140. The service layer 140 may deal with higher-level concepts such as search and indexing, directory, storage systems, file sharing, distributed file systems, resource aggregation and renting, protocol translation, authentication and PKI (public key infrastructure) systems. In contrast, Ekberg at

Paragraph 0027 discloses a distributed application directory stored in a database located in a middleware software layer that makes it possible for a device to know something of the requirements and wishes of peer devices to which it connects in the ad hoc network. The database also contains information of local applications and their requirements.

C. Traversat at Paragraphs 75, 86, 89 and 96 discloses UUIDs provide unique identifiers for resources in the peer-to-peer environment, and preferably identify the resource independently of the resource's location on the network. A UUID may be bound to other information, such as a network address of the corresponding resource and/or a resource name of the resource. Thus, UUIDs help to provide peers, services and other peer-to-peer environment entities with access to resources in the peer-to-peer environment independent of the resources' locations. In contrast, Ekberg at Paragraph 0010 discloses control parameters associated with a selected application. In one embodiment, the control parameters dictate a behavior of the selected application such as allowing communication with the selected application, refusing communication with the selected application, downloading the selected application, or distributing the selected application.

Summarizing, Traversat fails to disclose or suggest (i) a mobile device in an ad-hoc network controlling access to applications stored in the device by other mobile devices in the network; (i) a distributed application directory stored in a database located in a middleware layer providing information of applications stored in an ad-hoc network, and (iii) control parameters associated with applications in the distributed applications directory for controlling the behavior of the application with respect to devices in the ad-hoc network.

2. Bannerjee fails to disclose the subject matter of Ekberg, as follows:

A. Bannerjee at Paragraphs 34 and 36 discloses establishing a link between Bluetooth devices in an ad-hoc network for purposes of allowing a user of a wireless personal area network (PAN) to connect to a global communication network and establish a communication session with a remote PAN. In contrast, Ekberg at Paragraphs 0010 and 0010 discloses establishing a connection between mobile devices in an ad-hoc network for purposes of receiving a service request to connect to an application, and examining control parameters associated with a matching application program to allow or refuse connection to the application.

Summarizing, Bannerjee does not supply the missing feature related to examining control parameters in establishing a connection between mobile devices in an ad-hoc network.

3. Ogilvie fails to disclose the subject matter of Ekberg, as follows:

A. Ogilvie at column 19, lines 42 - 48 discloses transmitting a self removing message indicator indicating the message is to be deleted automatically in response to a condition involving a replacement message. In contrast, Ekberg at Paragraph 0054 discloses source device **400** and peer device **450** may erase the selected application and the matching application, respectively, if the control parameters specify to erase after use.

Summarizing, Ogilvie fails to disclose erasing a selected application if specified by the control parameters.

4. Moore fails to disclose the subject matter of Ekberg, as follows:

A. Moore at Paragraph 37 discloses a kiosk can be configured to deliver electronic services to mobile devices. The kiosk can provide to a requesting device a list of available services. The list can be computed based on any number of factors, for example all available services, or a limited selection based on prioritization, perceived value, or advertising revenue, historical transaction statistics, device and network resources, or a pre-configuration. In contrast, Ekberg at Paragraph 0056 and Figures 4A - D discloses a process for determining a preferred application from the applications found in peer device **450** after connection establishment between source device **400** and peer device **450**. Prioritization includes specifying a preferred application from the applications that source device **400** can access. Once the applications are prioritized, source device **400** sends an inquiry request to the ad-hoc communications network. Source device **400** accesses the combined directory (step **426**) and examines the control parameters associated with the prioritized applications and selects the preferred application for launching (step **427**).

Summarizing, Moore fails to disclose selecting a preferred application in a list of prioritized applications

The combination of Traversat in view of Bannerjee, Ogilvie and Moore or taken alone fails to disclose or suggest (i) a mobile device controlling access to stored application by peer devices in an ad-hoc network; (ii) a distributed application directory in a database located in a

middleware layer of a mobile device, the directory providing information of applications in an ad-hoc network; (iii) control parameters associated with applications stored in the distributed application directory and controlling the behavior of the associated application; (iv) erasing an accessed applications after execution, if indicated by the control parameters, and (v) selecting a preferred application in a prioritized list of applications for execution by a requesting device. Without a disclosure of features (i) –(v) in the cited references, alone or in combination, there is no basis for the rejection of claims 1 – 47 under 35 USC 103 (a) as set forth in MPEP 706 (j). Withdrawal of the rejection and allowance of the claims in the application are requested.

Now turning to the rejection, applicants' respond to the indicated paragraphs of the rejection, as follows:

Regarding Paragraph 1:

The Examiner's comments are noted.

Paragraph 2-3:

Claims 1-4, 6, 8-11, 13, 15, 16, 18-22, 24-27 and 29-30 include features not disclosed or suggested in Traversat in view of Bannerjee, as follows:

a. Claim 1:

(i) "a memory device including a distributed application directory in a middleware layer, the directory listing all applications resident in each device in an ad-hoc network;"

Traversat discloses identifying peers and other resources in a peer-to-peer network environment in using a universal unique identifier (UUID). The Examiner has not identified a distributed application directory in Traversat, which identifies applications available in an ad-hoc network for access by devices connected in the network, as described in the specification at page 10, lines 8-16.

(ii) "a processor disposed in communication with the memory device for controlling access to an application program in a wireless device;"

Traversat at paragraphs 87 and 88 describes a peer device including an application layer, which may be user defined divided to member peers in a peer group. 096 discloses identifying an application in an application layer by a UUID.

Traversat fails to disclose a processor controlling access to an application program identified in the directory located in a middleware layer.

(iii) “choose a selected application from a list of application programs in the distributed application directory;”

Traversat in paragraphs 87, 88 and 96 discloses choosing an application in an application layer, but fails to disclose choosing a selected application identified in the distributed application directory.

(iv) “examining at least one control parameter associated with the selected application.”

Traversat at paragraphs 86 and 89 discloses a service layer for searching and indexing directory, storage systems, file sharing etc., identified by UUIDs. Figure 3 discloses a UUID as containing a length of a remainder and a name. Traversat fails to disclose controlled parameters associated with a selected application.

Claim 1 describes subject matter not disclosed or suggested in Traversat as indicated above in items (i)...(iv).

b. Claim 2:

Traversat at paragraph 89 discloses applications in an application layer and services in a service layer, which may be identified by UUIDs, wherein the UUID does not include a control parameter for dictating behavior of a selected application.

c. Claim 3:

Traversat at paragraphs 88 and 96 does not disclose or suggest specific control parameters for controlling the behavior of a selected application.

d. Claim 4:

Traversat at paragraphs 87 and 88 describes launching application, but fails to disclose launching and connecting a selected application to a matching application, as described in the specification at page 6, lines 1 - 9.

e. Claim 6:

Traversat at paragraph 88 discloses community applications but fails to disclose retrieving an entry from a distributed application directory, wherein the entry associates a

selected application with a nearby device, as described in paragraphs 0051 and 0052 of the specification.

f. Claims 8-11 and 13:

Traversat fails to disclose the features of method claims 8-11 and 13 for the same reasons indicated in connection with the consideration of system claims 1-4 and 6.

g. Claims 15-16 and 18:

Claims 15 and 18 are the product program product form of claims 1 and 6 and describe subject matter not disclosed in Traversat for the reasons indicated in connection with the consideration of claims 1 and 6.

Claim 16 describes connecting a selected application and a matching application when a matching application is resident on a nearby wireless device. Applicants can find no disclosure nor has the Examiner indicated any disclosure in Traversat relating to connecting a selected application and a matching application.

h. Claims 19-22:

Claim 19 corresponds to and further limits claim 1 in regard to establishing a connection between an application program in a mobile device with a matching application program in a nearby device. Traversat fails to disclose a processor examining a control parameter in a matching application of a nearby device for purposes of connecting the matching application to an application in the device.

Claim 20 and 21 correspond to claims 2 and 3 and describe subject matter not disclosed in Traversat for the reasons indicated in connection with the consideration of claims 2 and 3.

Claim 22 describes connecting a selected application in a wireless device to a matching application in a nearby device in response to a service request from the nearby device. Applicants can find no disclosure nor as the Examiner cited any disclosure indicating connecting a selected application in a wireless device to a matching application in a nearby device.

i. Claim 24-27:

Claim 24 corresponds to claim 19 and describes subject matter not disclosed in Traversat for the reasons indicated in connection with the consideration of claim 19.

Claims 25 and 26 corresponds to claims 2 and 3 and describe subject matter not disclosed in Traversat for the reasons indicated in connection with the consideration of claims 2 and 3.

Claim 27 describes subject matter in claim 4 and not disclosed or suggested in Traversat for the reasons indicated in connection with the consideration of claim 4.

j. Claim 29-30:

Traversat fails to disclose a distributed application directory listing applications available in an ad-hoc network. Further, applicant has not found nor has the Examiner indicated any disclosure in Traversat relating to examining a control parameter associated with a matching application program to an application listed in a distributed application directory.

Summarizing, claims 1-4, 6, 8-11, 13, 15, 16, 18-22, 24-27 and 29-30 include subject matter not disclosed, suggested or taught in Traversat in view of Bannerjee, taken alone or in combination, as indicated above in connection with the consideration of the rejected claims. Withdrawal of the rejection under 35 USC 103 (a) and an allowance thereof are requested.

Paragraph 4:

Claims 5, 12, 17, 23, 28 and 31 include subject matter not disclosed in Traversat in view of Bannerjee and in further view of Ogilvie, all of record, as follows:

(i) “when a user closes the selected application, the processor is further configured to: erase the selected application, if specified by the associated control parameters.”

A. Bannerjee at paragraph 0058 discloses if a session is terminated, a Bluetooth network access provider (BNAP) finalizes the usage fees for the user. The BNAP service then generates a billing transaction for the user in response to the charges that have been incurred for the recent session. Bannerjee further discloses that the delivery of the service is continued, if the user selects not to terminate the service. In contrast, applicants disclose a processor is configured to erase a selected application when the user closes the selected application, provided the control parameters so indicate, as described in the specification at page 22, lines 20 – 22.

Applicants can find no disclosure nor has the Examiner indicated any disclosure in Bannerjee relating to removing an application in a wireless device, according to associated control parameters..

B. Ogilvie at column 5, line 57 continuing to column 7, line 3, describes a self removal indicator in a given email message. The indicator permits an originator to automatically delete a message from each recipient's mailbox/inbox shortly after being opened by the recipient. Ogilvie fails to disclose or suggest an application, including control numbers, associated with an application enabling a processor to erase the application.

Accordingly, Bannerjee and Ogilvie do not supply the missing feature in Traversat relating to a processor erasing a selected application if specified by the associated control parameters for the selected application.

The rejection of claims 5, 12, 17, 23, 28 and 31 is without support in the cited art. In any case, the rejected claims depend upon independent claims describing subject matter not disclosed or suggested in the cited references. Withdrawal of the rejection of claims 5, 12, 17, 23, 28, and 31 under 35 USC 103(a) and allowance thereof are requested.

Regarding Paragraph 5:

Claims 7, 14 and 32-47 include features not disclosed or suggested in Traversat in view of Bannerjee and Moore, all of record, as follows:

a. Claims 7 and 14:

(i) "the choice of the selected application is based on a priority assigned to the entry, wherein the priority is calculated from a local application priority and the corresponding application priority to the peer device. "

Moore, at paragraph 37, discloses a kiosk can provide to the device a list of available services. The list can be computed based on any number of factors. For example, all available services for a limited selection based on prior authorization, perceived value or advertising rather than historical transaction statistics device a network resources, or a preconfiguration. Claims 7 and 14, as now amended, describe calculating the priority based on a local application and priority of the corresponding application in a peer device. Moore fails to disclose or suggest calculating a priority for an application, as described in paragraph 0032 in the specification. The rejection of claims 7 and 14 under 35 USC 103(a) is without support in the cited art. Withdrawal of the rejections and allowance of claims 7 and 14 are requested.



b. Claims 32:

Traversat, in view of Bannerjee and Moore, fail to disclose features of claims 32, as follows:

(i) “maintain a local information database including a distributed application directory, the directory listing all applications resident in each device in an ad-hoc network in the distributed application directory in each of said at least one device,”

Traversat discloses a service layer 140. Bannerjee discloses a wireless PAN network access provider enabling communication sessions between remote PANs and monitoring such sessions. Moore discloses restoring applications and operating programs. In contrast, applicants disclose a database in a distributed directory providing information on applications available in devices connected to a P2P network, as described in the specification at page . Neither Bannerjee nor Moore supply a missing element in Traversat related to a database which contains information of local applications and their requirements, including control parameters, or combinations of control parameters, as well as priority information, indicating importance of the application set by the user, as described in applicant at paragraph 0027.

(ii) “the local information database associating at least one prioritized application program with at least one control parameter;”

Traversat and Bannerjee fail to disclose control parameters for the reasons discussed in connection with the consideration of claims 1, 8, 10, 16, 19, 24 and 29. Moore fails to provide any disclosure relating to control parameters for applications listed in a distributed application directory.

(iii) “said at least one prioritized application program including the preferred application program;”

Applicant, at paragraph 58, describes identifying a preferred application from among prioritized applications or access by an inquiring device. Applicants can find no disclosure nor has the Examiner indicated any disclosure relating to selecting a preferred application from among the priority applications for access by an inquiring device.

Summarizing, Applicants can find no disclosure, suggestion or teaching in Traversat in view of Bannerjee and Moore relating to items (i), (ii) and (iii) fail, and without such disclosure, suggestion or teaching are patentable under 35 USC 102 or 103.

Claims 33- 38 depend from claim 32, directly or indirectly, and provide further features relating to the preferred application program; control parameters associated with preferred application programs, and preference information. Claims 32 – 38 are patentable over the cited art for the same reasons indicated in connection with the consideration of claim 32.

c. Claim 39:

Claim 39 describes the subject matter of claim 32 in method format and is patentable over Traversat in view of Bannerjee and Moore for the same reasons indicated in connection with the consideration of claim 32.

d. Claims 40-45:

Claims 40-45 correspond to claims 32-38 and are patentable over the cited art for the same reasons indicated in connection with the consideration of claims 33 -38..

e. Claim 46:

Claim 46 describe the subject matter of claim 32 in program product format and is patentable over Traversat in view of Bannerjee and Moore for the same reasons indicated in connection with the consideration of claim 32.

f. Claim 47:

Claim 47 is another embodiment of claim 32 and is patentable over the cited references for the same reasons indicated in connection with the consideration of claim 32.

Patentability Support For New Claims 48-63:

Claims 48-63 include features not disclosed or suggested in the cited art, as follows:

Claim 48 further limits claim 8 and describes the formation of the creation of available application programs in the network, if created and installed in a distributed application directory. Applicant can find no disclosure in the cited references related to the creation of a list of available programs in an ad-hoc communications network.

Claim 49 further describes the formation of the control panel parameters not disclosed or suggested in the cited art for reasons indicated with the consideration of claim 2.

Claim 50 describes controlling access to applications in an ad-hoc network. The prior art does not address this function.

Claim 51 further limits claim 50 by defining the categories of control parameters.

Claim 52 further limits claim 32 in discovering and identifying a preferred application accessible by an inquiring device.

Claim 53 describes a wireless device for implementing application control in peer to peer networks.

Claim 54 describes an application program interface included in a wireless devices.

Claims 55-61 describe the distributed application directory of claim 1 in more detail.

Claim 62 describes a method for launching an application for one or more in an ad-hoc communication network, as described in Figure 4A.

Applicants can find no disclosure or suggestion in the cited references related to the subject matter of claims 48-63. Entry and allowance of claims 48-62 are requested.

**CONCLUSION**

Claims 1, 5, 6, 7, 8, 12, 13, 14, 15, 17, 19, 23, 24, 28, 29, 31, 32, 38, 46, and 47 have been amended to further distinguish the subject matter of the application from the cited art. Claims 48-63 have been added for additional protection of the subject matter of the application. Entry of the amendment, allowance of the claims and passage to issue of the case are requested.

**AUTHORIZATION**

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4503, Order No. 4208-4149. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4503, Order No. 4208-4149. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

Dated: September 8, 2005

By: Joseph C. Redmond, Jr.  
Joseph C. Redmond, Jr.  
Registration No. 18,753  
(202) 857-7887 Telephone  
(202) 857-7929 Facsimile

Correspondence Address:  
MORGAN & FINNEGAN, L.L.P.  
3 World Financial Center  
New York, NY 10281-2101